

PRESERVATION ESSENTIALS: HISTORIC PRESERVATION SEMINAR

HISTORIC HAWAII FOUNDATION

NATIONAL PARK SERVICE

AUGUST 2018

Preservation Essentials 2018

- Monday, August 6: Kawaihae, Hawai'i Island
- Tuesday, August 7: Honoka'a, Hawai'i Island
- Wednesday, August 8: Lahaina, Maui
- Thursday, August 9: Hāna, Maui
- Friday, August 10: Kaunakakai, Moloka'i
- Monday, August 13: Princeville, Kaua'i
- Tuesday, August 14: Hanapēpē, Kaua'i
- Wednesday, August 15: Lāna'i City, Lāna'i
- Thursday, August 16: Hale'iwa, O'ahu

Purpose of this Workshop

Providing Preservation Tools and Resources to Help People Save Historic Places



Tunnel of Trees, Kōloa, Kaua'i

INSTRUCTORS

Elaine Jackson-Retondo is the Preservation Partnerships and History Programs Manager for the National Park Service Pacific West Region and is located in San Francisco. She is in her sixteenth year with the NPS. Dr. Jackson-Retondo's work has included National Historic Landmarks, the American Latino Heritage and Asian American Pacific Islander Initiatives, Cesar Chavez and the Farmworker Movement and Youth Heritage Programs. Elaine earned her Doctorate in Architectural History from the University of California, Berkeley and her Bachelor of Architecture from the University of Notre Dame in South Bend, Indiana.

INSTRUCTORS

Kiersten Faulkner is the Executive Director of Historic Hawai'i Foundation and oversees all aspects of its preservation programs, strategic planning, business lines and operational matters. She has been with HHF since 2006, and has extensive experience as a consulting party to Section 106 undertakings, preservation planning, community-based preservation programs and other outreach. Prior to joining HHF, Ms. Faulkner was a Senior City Planner for the City & County of Denver. She holds a Master of Arts in Urban and Environmental Policy from Tufts University and is a member of the American Institute of Certified Planners (AICP).

WHAT YOU WILL LEARN:

1. Definition & Purpose of Preservation and how it Benefits Communities
2. How to Identify Historic Properties
3. The Framework of Federal, State and Local Preservation Programs
4. Standards and Guidelines for the Treatment and Stewardship of Historic Properties
5. Tools and Resources for Historic Preservation

SEMINAR AGENDA

10 min: Introductions and seminar overview

15 min: Definition and Purpose of Preservation

What is historic preservation? What are the benefits of preservation?
Class discussion on examples of local historic properties.

20 min: Framework for Historic Preservation/Roles & Responsibilities

What is the National Historic Preservation Act? Who participates in the historic preservation process? What is a Certified Local Government? What are Hawai'i Revised Statutes Chapter 6E?

30 min: Historic Properties

What are property types? What qualifies a property for the National & Hawai'i Register of Historic Places? What is integrity? What makes a property significant?

15 min: BREAK

SEMINAR AGENDA

20 min: Preservation Tools and Resources

Secretary of the Interior's Standards and Guidelines for Rehabilitation;
Technical Briefs

20 min: Stewardship of Historic Properties

How do individuals and community organizations preserve places? What are government programs related to preservation? What funding programs exist?

25 min: Resolving Conflicts Between Development and Preservation

Scenarios and Group Activity

10 min: Best Practices and Tips for Success

15 min: Wrap-up & Questions

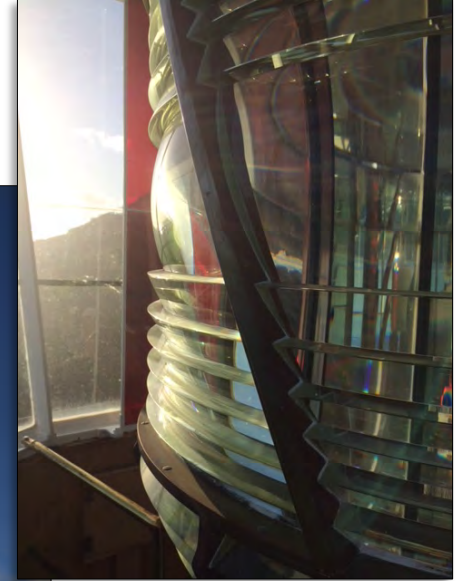
Course Evaluations

MAHALO FOR PARTICIPATING!

PURPOSE OF PRESERVATION

WHAT IS HISTORIC PRESERVATION ?

... the practice of preserving, conserving and protecting historic properties.



WHAT IS HISTORIC PRESERVATION ?

... an important way for us to transmit our understanding of the past to future generations.



WHY DOES HISTORIC PRESERVATION MATTER?



Preserving the history of a place through its historic and culturally significant resources provides tangible links from the past to existing communities and people.

WHY DOES HISTORIC PRESERVATION MATTER?



Lahaina National Historic Landmark District, Maui



Lo'i Kalo, O'ahu

The landscapes, buildings and places that we preserve are a part of a community's unique character and story.

WHY DOES HISTORIC PRESERVATION MATTER?



PRESERVATION MOVEMENT IN THE U.S.

Preservation as a Grassroots Effort

Preservation is about deciding what is important, figuring out how to protect it, and passing along an appreciation for what was saved to the next generation



Mount Vernon: George Washington's House, Built: 1774



Mount Vernon Ladies Association, founded: 1853

PRESERVATION MOVEMENT IN THE U.S.

Preservation as a Federal Effort

1906 Antiquities Act

1916 Organic Act

1935 Historic Sites Act

1966 National Historic Preservation Act



Devils Tower National Monument, designated 1906



Historic American Building Survey (HABS) created to document America's architectural heritage, 1933

Early 20th Century Preservation Efforts



Queen Emma Summer Palace

Daughters of Hawai'i
1915



Hulihe'e Palace

Daughters of Hawai'i
1927



Mission Houses

Hawaiian Mission
Children's Society
1920

Historic Preservation in Hawai'i



ʻIolani Palace National Historic Landmark,
1960s



Honokohau Settlement National Historic Landmark
1960s



Chinatown Historic District, 1970s



Mauna Kea Adz Quarry National Historic Landmark
1960s

Cultural Revitalization and Environmental Awareness of the 1960s and 1970s



Kaho'olawe cloud bridge and rain 'ahu at Lua Makika
(courtesy Stanton Enomoto)



Polynesian Voyaging Society
(Photo: pvs.kcc.hawaii.edu)



Bishop Museum



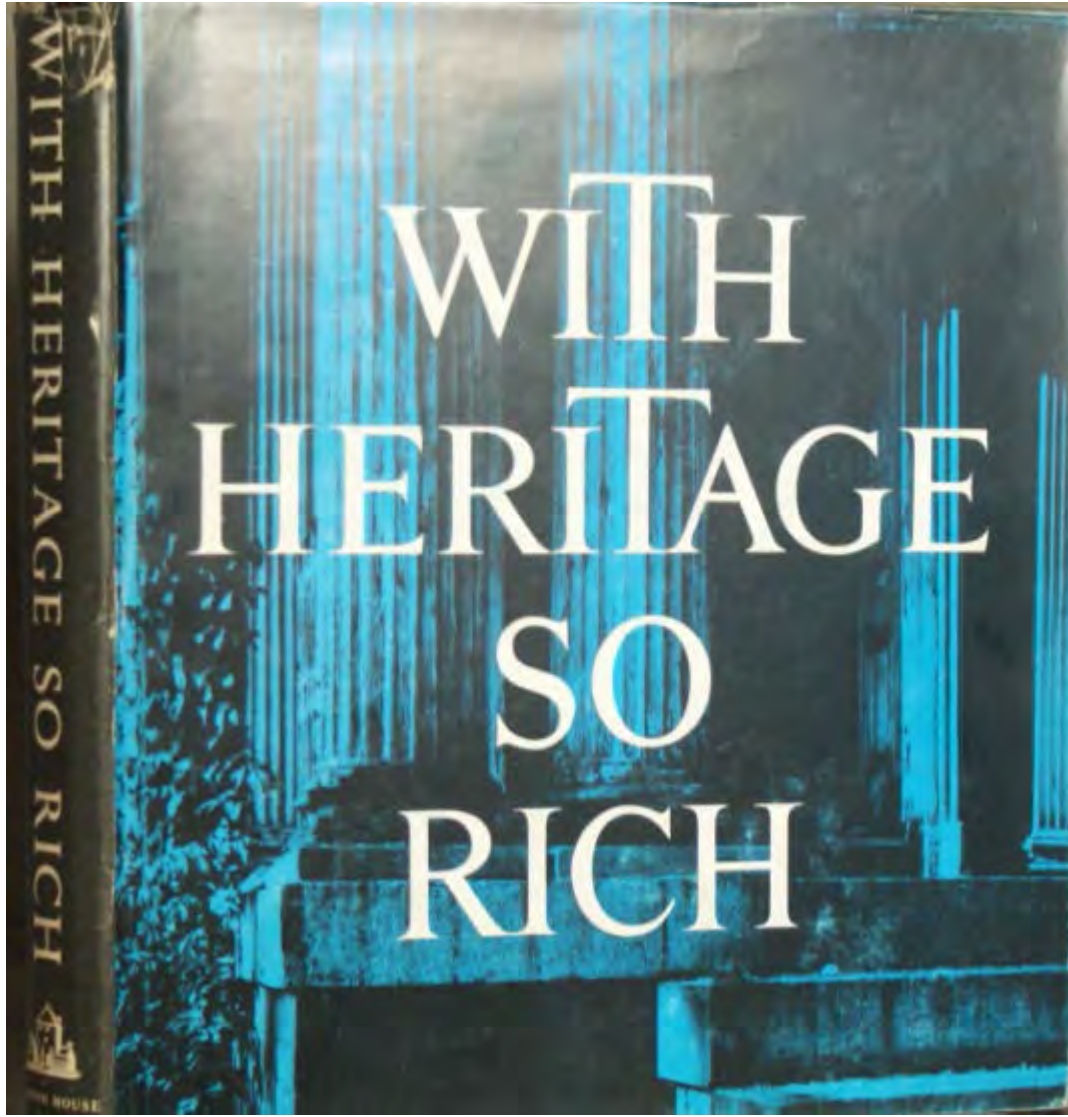
Hale'iwa Bypass Road
(courtesy Thom Benedict)

With Heritage So Rich

"...the truth [is] that the buildings which express our national heritage are not simply interesting. They give a sense of continuity and of heightened reality to our thinking about the whole meaning of the American past."

—Lady Bird Johnson





"... the preservation movement ... must go beyond saving bricks and mortar. It must go beyond saving occasional historic houses and opening museums. It must do more than revere a few national shrines. It must attempt to give a sense of orientation to our society using structures and objects of the past to establish values of time and place."

(With Heritage So Rich, p.193)

Which Historic Properties Matter in Your Community?



Hale'ākala Summit, Maui



Lo'ī kalo, Lāna'i



LDS Temple, Lā'ie, O'ahu



Hanalei Bridge, Kaua'i



Hilo Commercial District, Hawai'i Island



Kapuāiwa Coconut Grove, Moloka'i

Which Historic Properties Matter in Your Community?

- Example
- Example
- Example

FRAMEWORK

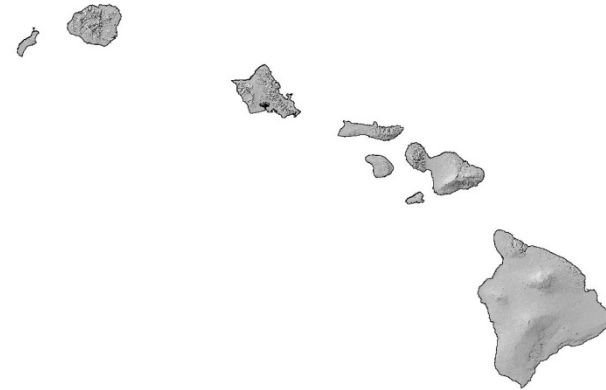
HISTORIC DESIGNATION TYPES



International



National



State



Local

HISTORIC DESIGNATIONS

❑ World Heritage Site

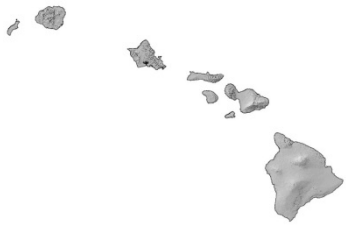
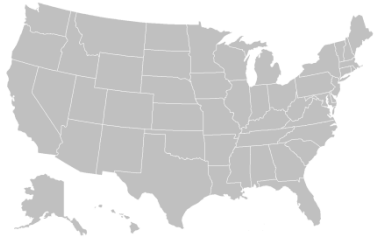
- Designated by the United Nations Educational, Scientific and Cultural Organization (UNESCO)
- Outstanding Universal Value for the heritage of all the people of the world



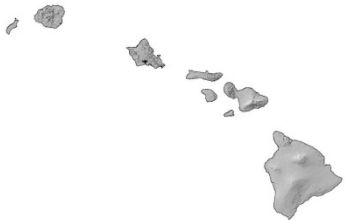
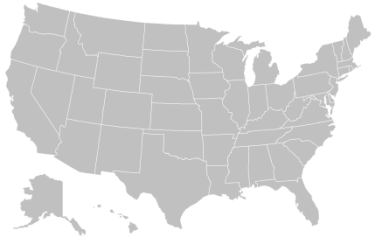
HISTORIC DESIGNATIONS

F
e
d
e
r
a
l

- ❑ National Parks and National Trails (designated by Congress)
- ❑ National Monuments (designated by President or by Congress)
- ❑ **National Historic Landmarks** (designated by the Secretary of the Interior and the Advisory Board NHL Committee)
 - **Possess exceptional value or quality** in illustrating or interpreting the heritage of the United States
- ❑ **National Register of Historic Places** (designated by the Keeper of the National Register)
 - Official list of the Nation's historic places **worthy of preservation**



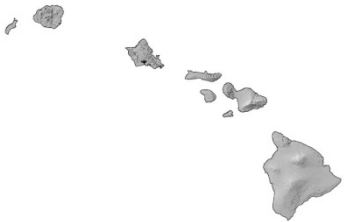
HISTORIC DESIGNATIONS



S
t
a
t
e

- ☐ Hawai'i State Monuments (designated by the Hawai'i State Legislature)
- ☐ Hawai'i State Parks (designated by the Board of Land and Natural Resources with Approval by the Governor)
- ☐ **Hawai'i Register of Historic Places** (designated by the Hawai'i Historic Places Review Board)
- ☐ Significant Historic Property/Eligible Historic Property (determined by the State Historic Preservation Division)
- ☐ Historic Property 50 Years or Older (definition in statute)

HISTORIC DESIGNATIONS



L
o
c
a
l

- ❑ County Parks (designated by County Council)
- ❑ County Historic Districts (designated by County Council on advice of local preservation commission)
 - Kaua'i Historic Preservation Review Commission
 - Maui Cultural Resources Commission
 - Hawai'i Cultural Resources Commission

HISTORIC PRESERVATION LAWS & REGULATIONS



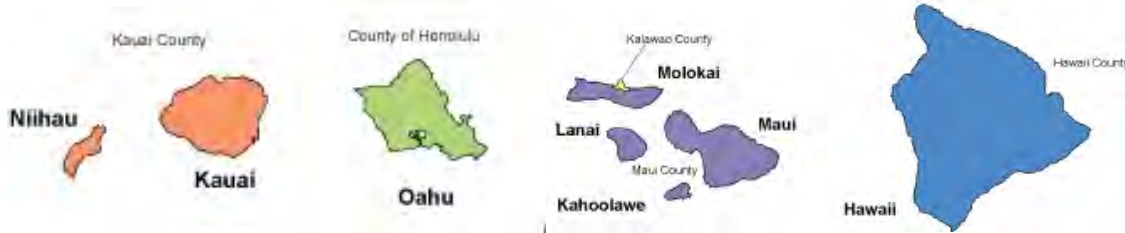
Federal Government:

National Park Service &
Advisory Council on Historic Preservation



State Government:

State Historic Preservation Offices



Local Level: Cities and Counties

HISTORIC PRESERVATION LAWS & REGULATIONS

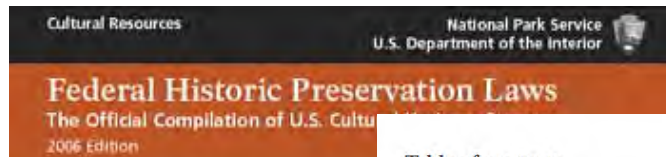


Table of contents

LAWS LISTED CHRONOLOGICALLY

Introduction.....	1
Antiquities Act	5
National Park Service Organic Act, Section 1, NPS Mission	7
National Park Service Organic Act, Section 8, Reports on Threatened Landmarks and New Area Studies	8
Historic Sites Act.....	12
Federal Property and Administrative Services Act.....	20
National Trust for Historic Preservation, Creation and Purpose.....	25
Archaeological and Historic Preservation Act.....	29
National Historic Preservation Act	35
Department of Transportation Act, Declaration of Purpose and Section 4(f).....	100
National Environmental Policy Act.....	101
National Marine Sanctuaries Act.....	105
Coastal Zone Management Act.....	118
Department of Transportation Act, Section 4(i), as created by the Amtrak Improvement Act.....	132
Mining in the National Parks Act, Section 9	137
Public Buildings Cooperative Use Act	138
American Indian Religious Freedom Act	139
Archaeological Resources Protection Act	140
Internal Revenue Code, Section 170(h), Qualified Conservation Contributions	153
Abandoned Shipwreck Act	155
Internal Revenue Code, Section 47, Rehabilitation Credit	159
Native American Graves Protection and Repatriation Act	167
Intermodal Surface Transportation Efficiency Act (ISTEA)	184

**National Historic Preservation Act
(NHPA)**

**National Environmental Policy Act
(NEPA)**

**Archaeological Resources Protection
Act (ARPA)**

**Native American Graves Repatriation
Act (NAGPRA)**

NATIONAL HISTORIC PRESERVATION ACT OF 1966

Congress finds and declares that—

The spirit and direction of the Nation are founded upon and reflected in its historic heritage;

The historical and cultural foundations of the Nation should be preserved as a living part of our community life and development in order to give a sense of orientation to the American people;

The preservation of this irreplaceable heritage is in the public interest...

Encouragement of preservation will improve the planning and execution of Federal projects...

It is necessary and appropriate for the Federal Government to accelerate its historic preservation programs and activities, to give maximum encouragement to agencies...to expand and accelerate their historic preservation programs and activities

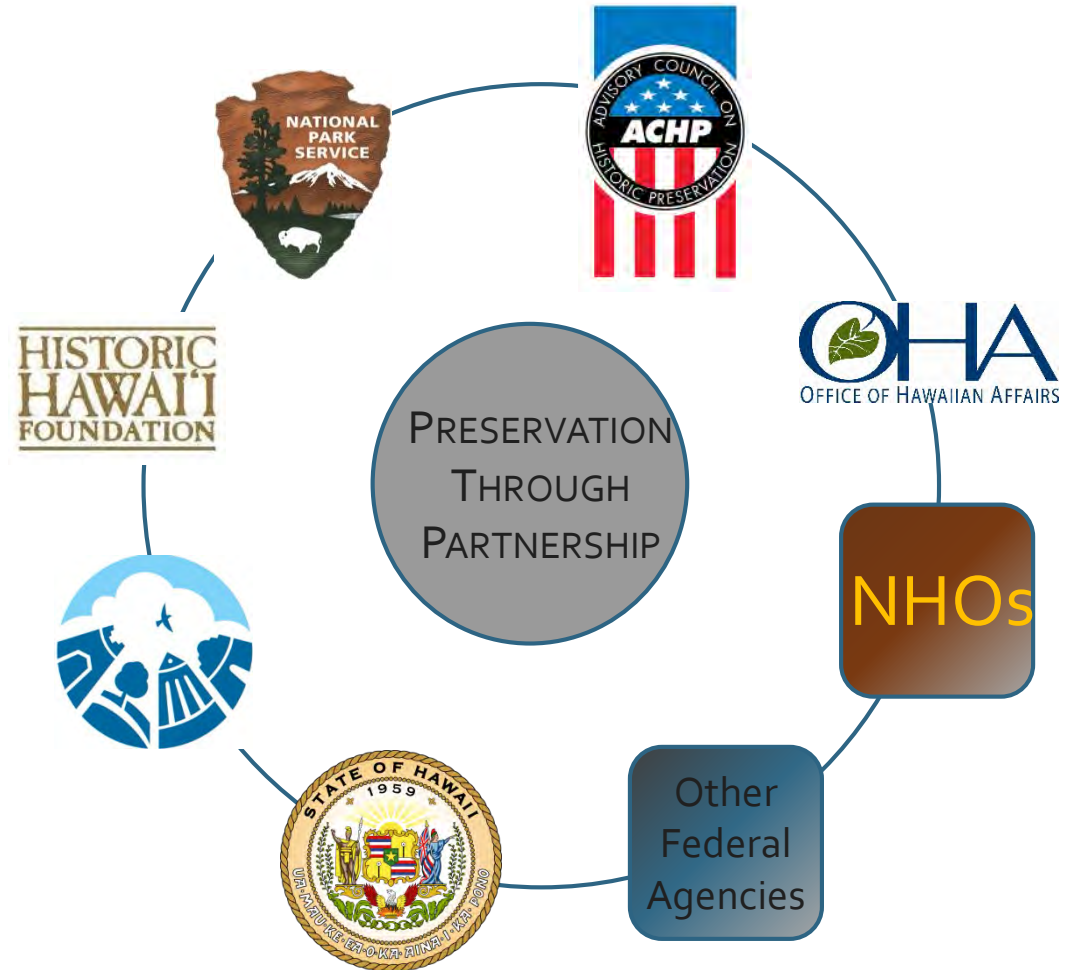
PURPOSE OF NHPA

To preserve, in the public interest, the historic and cultural properties significant to the Nation's heritage by delegating a wide range of responsibilities for historic preservation work to. . .

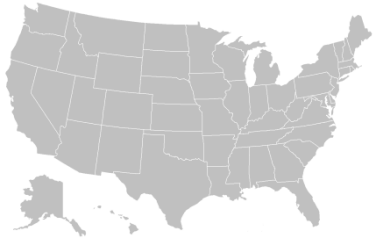


PURPOSE OF NHPA

... the National Park Service and its partners in other Federal agencies, Tribal Preservation Offices, Native Hawaiian Organizations, State Historic Preservation Offices, Certified Local Governments, and private organizations, including the National Trust for Historic Preservation



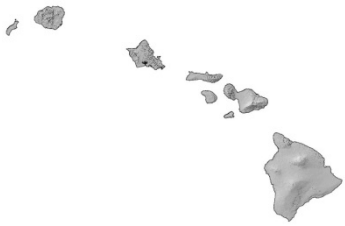
HISTORIC PRESERVATION AGENCIES & ORGANIZATIONS



F
e
d
e
r
a
l

Government

- ❑ **Advisory Council on Historic Preservation (ACHP)**
- ❑ **National Park Service/Department of the Interior (NPS/DOI)**
- ❑ **All agencies: Federal Historic Preservation Officer**



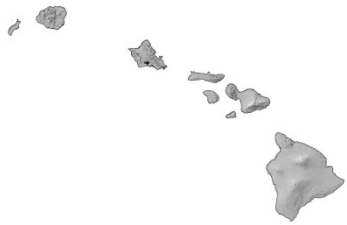
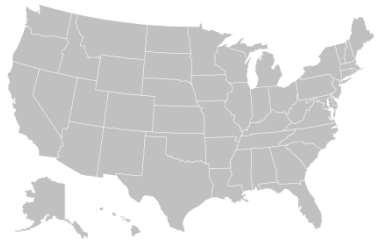


The Advisory Council on Historic Preservation promotes the preservation, enhancement, and sustainable use of our nation's diverse historic resources, and advises the President and the Congress on national historic preservation policy.



The National Park Service preserves unimpaired the natural and cultural resources and values of the National Park System for the enjoyment, education, and inspiration of this and future generations. The Park Service cooperates with partners to extend the benefits of natural and cultural resource conservation and outdoor recreation throughout this country and the world.

HISTORIC PRESERVATION AGENCIES & ORGANIZATIONS



S
t
a
t
e

L
o
c
a
l

Government

- ☐ State Historic Preservation Division (SHPD)/Department of Land & Natural Resources (DLNR)
- ☐ Office of Hawaiian Affairs (OHA)
- ☐ Hawai'i Historic Places Review Board
- ☐ Island Burial Councils
- ☐ Office of Environmental Quality (OEQ)
- ☐ Kaua'i Historic Preservation Review Commission
- ☐ Hawai'i Cultural Resources Commission
- ☐ Maui Cultural Resources Commission
- ☐ City/County Departments of Planning & Permitting



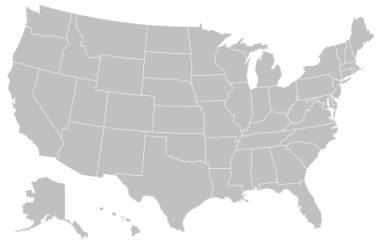
The State Historic Preservation Division (SHPD) works to preserve and sustain reminders of earlier times which link the past to the present. SHPD's three branches, History and Culture, Archaeology, and Architecture, strive to accomplish this goal through a number of different activities.

A branch of the State of Hawai'i Department of Land and Natural Resources
Chairperson of DLNR = State Historic Preservation Officer (SHPO)
SHPD Administrator = Deputy SHPO



The Office of Hawaiian Affairs is a public agency with a high degree of autonomy. OHA is responsible for improving the well-being of Native Hawaiians. OHA is governed by a Board of Trustees made up of nine members who are elected statewide to serve four-year terms setting policy for the agency. OHA is administered by a Chief Executive Officer (Ka Pouhana) who is appointed by the Board of Trustees to oversee a staff of about 170 people.

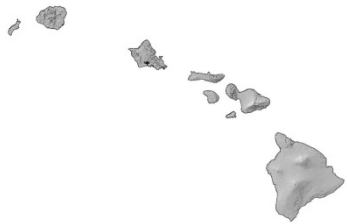
HISTORIC PRESERVATION AGENCIES & ORGANIZATIONS



N
a
t
i
o
n
a
l

Non-Profit/Private

- ☐ National Trust for Historic Preservation
- ☐ Historic Hawai'i Foundation
- ☐ Grassroots/Advocacy organizations
- ☐ Hawaiian Civic Clubs' Historic Preservation Committees



S
t
a
t
e



L
o
c
a
l



The National Trust for Historic Preservation, a privately funded nonprofit organization, works to save America's historic places. Our mission is to protect significant places representing our diverse cultural experience by taking direct action and inspiring broad public support.

HISTORIC HAWAI'I FOUNDATION

Founded in 1974, Historic Hawai'i Foundation is a membership-based, statewide non-profit organization that encourages the preservation of historic buildings, sites, objects and districts relating to the history of Hawai'i.

MAJOR COMPONENTS OF NHPA

- ❑ Established Preservation Responsibilities for Federal Agencies
- ❑ Established the National Register of Historic Places (NRHP)
- ❑ Established Standards for State Historic Preservation Programs
- ❑ Established the Advisory Council on Historic Preservation
- ❑ Established program and regulations to assist Indian Tribes and Native Hawaiian Organizations
- ❑ Established that traditional religious & cultural properties may be eligible for listing in NRHP
- ❑ Established Section 106

CONSULTATION

36 CFR Part 800 16(f):

Consultation is the process of seeking, discussing and considering the views of other participants, and, where feasible, seeking agreement with them on matters arising in the Section 106 process



Marine Corps Base Hawai'i Consulting Party Site Visit to
Ulupau Crater/Battery Pennsylvania

CONSULTING PARTIES/PARTICIPANTS IN THE PROCESS

- ❑ Federal Agency with responsibility for the action (land, funding, permit, license or approval)
- ❑ State Historic Preservation Officer (SHPO)
- ❑ **Native Hawaiian Organizations (NHO)**
- ❑ Local Government representatives
- ❑ Applicants for federal government assistance, permits, licenses and other approvals
- ❑ **Individuals and Organizations with a demonstrated Interest:**
 - Due to the nature of their legal or economic relationship to the undertaking or affected properties; or
 - Their concern with the undertaking's effect on historic properties
- ❑ Members of the Public
- ❑ Advisory Council on Historic Preservation (ACHP)
- ❑ National Park Service (NPS), if located in a National Historic Landmark or National Park/Monument/Trail

HISTORIC PRESERVATION LAWS & REGULATIONS

STATE:

- ☐ Hawai'i Revised Statutes 6-E (Historic Preservation)
- ☐ HRS Chapter 343 (Environmental Review)
- ☐ Hawai'i Administrative Rules Chapter 13 (Historic Preservation)
- ☐ HAR Chapter 11 (Environmental Impact Statement)



Hawai'i Revised Statutes Chapter 6E

Established by the State Legislature in 1976 with an intent to protect the cultural and historic heritage of Hawai'i

“The Legislature declares that the historic and cultural heritage of the State is among its important assets and that the rapid social and economic developments of contemporary society threaten to destroy the remaining vestiges of this heritage”



Hawai'i State Capitol, Honolulu, O'ahu

HRS 6E Purpose



- ❑ Promote the use and conservation of historic resources
- ❑ Provide leadership and stewardship in preserving restoring and maintaining historic resources
- ❑ Reviews of development projects are the primary means of lessening the effects of change on historic and cultural assets.

MAJOR COMPONENTS OF HRS 6E

- ❑ Establishes statewide historic preservation program
- ❑ Establishes State Historic Preservation Division
- ❑ Hawai'i Register of Historic Places
- ❑ Hawai'i Historic Places Review Board
- ❑ Island Burial Councils
- ❑ State Monuments and Pacific War Memorial System

HISTORIC PRESERVATION LAWS & REGULATIONS

LOCAL

- ❑ Local historic preservation/cultural resources commissions: Kaua'i, Maui & Hawai'i Counties
- ❑ Land use/Zoning ordinances
- ❑ Special review or design districts
- ❑ Tax exemptions and incentives



Cultural Resources
Commission



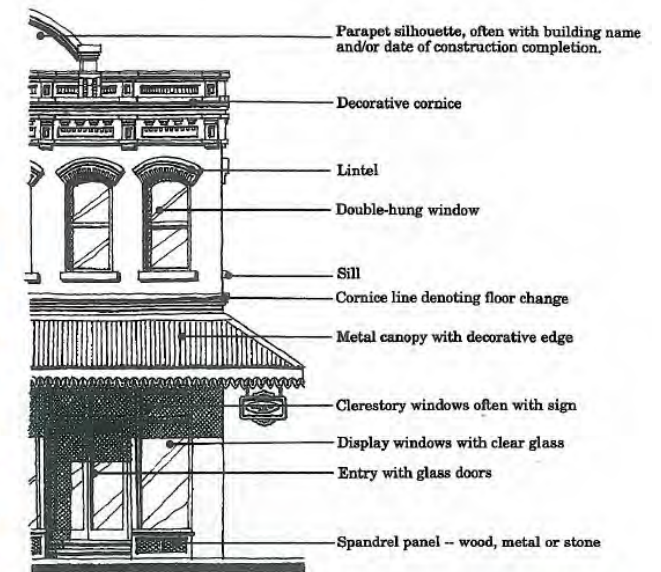
Hawai'i County Department of Planning
Community Development Plans

Chinatown Special District Building Form & Mass

- Structure
- Building facades, store fronts

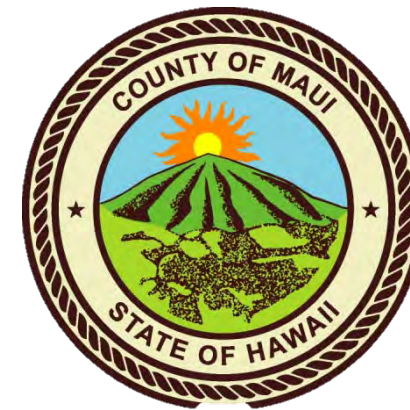
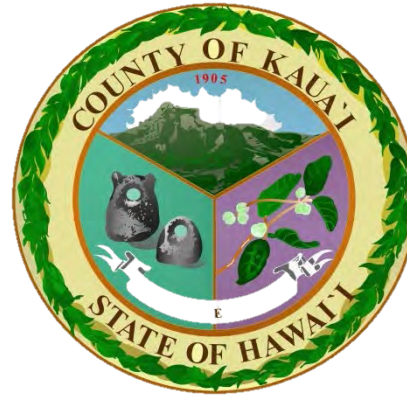
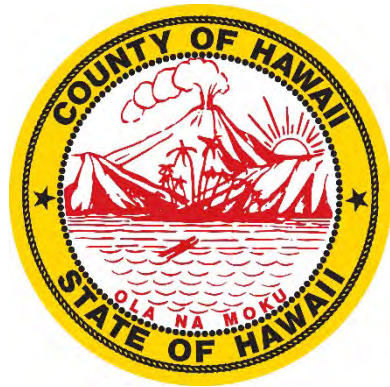


Architectural Character Facade Treatment



Elements of a traditional storefront

CERTIFIED LOCAL GOVERNMENTS



A Partnership between the National Park Service, State Historic Preservation Division, and County governments

Certified Local Governments: Purpose and Intent

- ❑ Encourage preservation at the local level
- ❑ Local communities defining what is important about their community
- ❑ Providing national level historic preservation resources to the community through grants and technical support

ZONING SPECIAL DISTRICTS/DESIGN GUIDELINES

Criteria and standards developed for a specific historic or special district used by local planning authorities or historic review commission to determine appropriateness of a proposed project.



Hale'iwa



Lahaina



'Ewa Villages



Chinatown

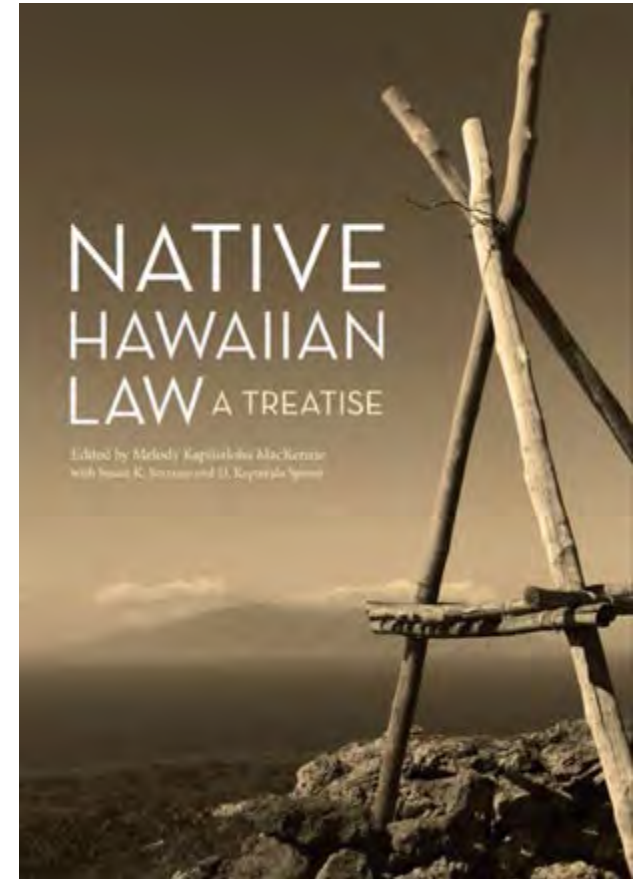
NATIVE HAWAIIAN CONSULTATION PROTOCOLS – PURPOSE & AUTHORITY

- ❑ Purpose and Authority for Native Hawaiian Consultation
 - ❑ Engage indigenous, aboriginal, maoli people of Hawai'i on protection and disposition of their cultural resources and ancestors
 - ❑ Bulk of archaeological sites in Hawai'i are of Native Hawaiian origin and construction
 - ❑ Majority of human burials (outside of cemeteries) are of Native Hawaiian origin
 - ❑ Native Hawaiian right to exercise and express traditional religion and customary practices



NATIVE HAWAIIAN CONSULTATION PROTOCOLS – PURPOSE & AUTHORITY

- ❑ Federal Laws on Preservation and Native Hawaiians
 - National Historic Preservation Act (NHPA)
 - Native American Graves Protection and Repatriation Act (NAGPRA)
 - American Indian Religious Freedom Act (AIRFA)
 - Hawaiian Homes Commission Act (HHCA)
- ❑ State Laws on Preservation and Native Hawaiians
 - Hawai'i State Constitution Article XII – Hawaiian Affairs
 - Hawaiian Homes Commission Act (HHCA)
 - Office of Hawaiian Affairs (OHA) – HRS Chapter 10
 - Traditional and Customary Rights
 - HRS Chapter 6E – Historic Preservation
 - HRS Chapter 10H – Native Hawaiian Recognition
 - HRS Chapters 205 and 205A – Land Use and Coastal Zone Mgmt.
 - HRS Chapter 171 – Conservation and Resources



NATIVE HAWAIIAN CONSULTATION PROTOCOLS

– FEDERAL POLICY AND GUIDANCE

- ❑ Department of Defense (DOD):
 - Consultation with Native Hawaiian Organizations (DOD Inst. 4710.03)
- ❑ Advisory Council for Historic Preservation (ACHP):
 - Policy Statement – Interaction with Native Hawaiian Organizations
 - Handbook – Native Hawaiian Consultation in Section 106 Review Process
- ❑ National Park Service (NPS):
 - Management Policies 2006
- ❑ Office of Native Hawaiian Relations (ONHR):
 - DOI, DOD, ACHP Native Hawaiian Interagency Working Group
 - Native Hawaiian Organization List



HISTORIC PROPERTIES

WHAT IS A HISTORIC PROPERTY?

Historic Properties can be:



Buildings

Buildings are intended to shelter some sort of human activity.
Examples include: a house, store, church, jail or other similar construction.



Structures

Structures are functional constructions meant to be used for purposes other than sheltering human activity.
Examples include: bridges, railroads and ships.

WHAT IS A HISTORIC PROPERTY?

Historic Properties can be:



Sites

A site is the location of a significant event where the location itself possesses historic, cultural, or archeological value. Examples Include: battlefields, archaeological, landscapes



Objects

Objects are usually artistic in nature, or relatively small in scale and simply constructed. Examples include monuments, sculptures and fountains.

WHAT IS A HISTORIC PROPERTY?

Historic Properties can be:



A geographically-definable area, possessing a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united by past events or aesthetically by plan or physical development. A district may also comprise individual elements separated geographically but linked by association or history. Examples include: Kalaupapa NHL, Chinatown Historic District, Merchant Street Historic District, Līhu'e Civic Center Historic District

WHAT IS A HISTORIC PROPERTY?

National Criteria

National Register of Historic Places

36 CFR Part 60
and Part 800.16

**Buildings, Structures, Sites,
Objects and Districts that
meet the eligibility criteria**
for listing on the National
Register of Historic Places,
including those which any
Native Hawaiian organization
might attach religious and
cultural significance.

WHAT IS A HISTORIC PROPERTY?

State of Hawai'i Criteria

HRS 6E: Historic Property

“Historic property” means any building, structure, object, district, area, or site, including heiau and underwater site, which is over fifty years old.

HAR Title 13: Significant Historic Property

“Significant historic property” means any historic property that meets the criteria for listing on the Hawai'i register of historic places.

IS IT A HISTORIC PROPERTY?

- ❑ Does it meet one of more criteria of **Significance**?
Criteria for Evaluation – A, B, C, D or (Hawai'i state criteria only) E
- ❑ Does it retain historic **Integrity**?
Seven Aspects of Integrity
- ❑ Is the property old enough to be considered historic – **Age**?
*Hawai'i = at least 50 years old;
National = not limited, but if less than 50 years needs to have
exceptional significance*

NATIONAL REGISTER OF HISTORIC PLACES

Supporting Principles

- ❑ Secretary of the Interior authorized to expand and maintain a National Register of districts, sites, buildings, structures, and objects **significant in American history**, architecture, archeology, engineering and culture.
- ❑ The **spirit and direction** of the Nation are founded upon and reflected in its historic heritage.

NATIONAL REGISTER OF HISTORIC PLACES

Supporting Principles

- ❑ The **historical and cultural foundations** of the Nation should be preserved as a **living part of our community** life and development in order to give a sense of orientation to the American people
- ❑ The preservation of this **irreplaceable heritage** is in the public interest so that its vital legacy of **cultural, educational, aesthetic, inspirational, economic, and energy benefits** will be maintained and enriched for future generations of Americans

SIGNIFICANCE UNDER HRS 6E

- ❑ The quality of **significance** in Hawaiian history, architecture, archaeology and culture, which is present in districts, sites, buildings, structures and objects of **State and local importance**;
- ❑ The **preservation enhances the environmental quality** of the state;
- ❑ The **social, cultural, educational, and recreational value** of the building, site, structure, district or object, when preserved, presented or interpreted contributes significantly to the **understanding and enjoyment of the history and culture** of Hawai'i, the Pacific area, or the nation.

SIGNIFICANCE CRITERIA

Criterion A: Historical Events & Patterns

- ❑ A specific event marking an important moment in American and/or Hawai'i prehistory or history or;
- ❑ A pattern of events or a historic trend that made a significant contribution to the development of a community, a State, or the nation.



United States Naval Base Pearl Harbor National Historic Landmark is significant for its association with World War II and the attack on Pearl Harbor on December 7, 1941

HISTORIC SIGNIFICANCE

Criterion B

Important Person

- ❑ Associated with the lives of persons significant in our past



Washington Place National Historic Landmark, O'ahu is significant in association with Queen Lili'uokalani

HISTORIC SIGNIFICANCE

Criterion C

Architecture & Engineering

- ☐ Embodies distinctive characteristics of a type, period, or method of construction
- ☐ Represents the work of a master.
- ☐ Possesses high artistic value.
- ☐ Represents a significant and distinguishable entity whose components may lack individual distinction.



Albert Spencer Wilcox Beach House, Kaua'i
Architecture: Late 19th/ early 20th century house in Hawai'i

HISTORIC SIGNIFICANCE

Criterion D

Information Potential

- ❑ The property must have, or have had, information to contribute to our understanding of human history or prehistory, and
- ❑ The information must be considered important.



Hawai'i Volcano National Park, Hawai'i Island
Footprints of men, women and children and hoof prints of hogs in hardened, ash. Historians and Native Hawaiians believe the footprints were made by warriors of Keoua Kuahu'ula and their families as they passed through the Ka'ū Desert during the 1790 steam-blast eruption of Kīlauea.

HISTORIC SIGNIFICANCE

Criterion E (Hawai'i State Register Only)

- Have important value to the native Hawaiian people or to another ethnic group of the state due to associations with cultural practices once carried out, or still carried out, at the property or due to associations with traditional beliefs, events or oral accounts—these associations being important to the group's history and cultural identity.



Kīlauea Crater, Hawai'i Island

Kilauea Crater was, and is, the permanent home of the Polynesian volcano goddess Pele. In prehistoric times, Pele had priests, temples and worshippers on all the major islands, and is believed to have been involved in important historic events, some of which are associated with the founding of the Kingdom of Hawai'i, 1790-1795. Many individuals still make offerings to Pele.

PERIOD OF SIGNIFICANCE

Period of Significance is the span of time in which a property attained the significance for which it meets the National Register criteria.

- ❑ In association with historic or prehistoric persons or events
- ❑ In association with design or construction period(s)
- ❑ Beginning and end dates

HISTORIC INTEGRITY

Integrity is the ability of a property to convey significance.

The evaluation of integrity is sometimes a subjective judgment, but it must always be grounded in an understanding of a property's physical features and how they relate to its significance.

HISTORIC INTEGRITY



'Iolani Palace 1880



'Iolani Palace 1984

HISTORIC INTEGRITY

7 Aspects of Integrity

Materials

Design

Workmanship

Location

Setting

Association

Feeling

To retain historic integrity a property will usually possess several, and often most, of the aspects.

CRITERIA CONSIDERATIONS

- A. Religious properties
- B. Relocated properties/Moved Properties
- C. Birthplaces or Graves
- D. Cemeteries
- E. Reconstructed
- F. Commemorative properties
- G. Less than 50 years

WHAT ABOUT CULTURAL LANDSCAPES?

Types of Cultural Landscapes

- ❑ Historic designed landscapes,
- ❑ Historic vernacular landscapes,
- ❑ Historic sites, and
- ❑ Ethnographic landscapes.



Kalaupapa Settlement National Historic Landmark,
Moloka'i

WHAT ABOUT CULTURAL LANDSCAPES?

What is a Cultural Landscape?

- ❑ They are settings that human beings have created in the natural world.
- ❑ They are intertwined patterns of things both natural and constructed.
- ❑ They are special places—expressions of human manipulation of and adaptation to the land and the environment



Honouliuli National Monument, O'ahu

WHAT ABOUT CULTURAL LANDSCAPES?

- ❑ Eligibility of Cultural Landscapes for National Register listing is evaluated using the **National Register Criteria for Evaluation** and NR guidance.
- ❑ Nominations of NR eligible Cultural Landscapes are processed in accordance with the provisions of 36 CFR 6o.



Tinian North Field, Commonwealth of the Northern Marianas

WHAT ABOUT TRADITIONAL CULTURAL PROPERTIES (TCPs)

What is a TCP?

- ❑ a site, district, structure, building, or object that is rooted in a traditional community's history; and
- ❑ important in maintenance of the community's ongoing identity.



Nantucket Sound TCP, Nantucket, Massachusetts
Typical Wampanoag traditional ceremonial “seascape” view of the juncture of Nantucket Sound, sky, and sunrise.

WHAT ABOUT TRADITIONAL CULTURAL PROPERTIES (TCPs)

What is a Traditional Cultural Community?

- ❑ a site, district, structure, building, or object that is rooted in a **traditional community's** history; and
- ❑ important in maintenance of the **community's** ongoing identity.

A traditional cultural community is a group that has existed historically for several generations or more that continues to maintain a shared set of historic cultural values, beliefs, or practices to the present day.

WHAT ABOUT TRADITIONAL CULTURAL PROPERTIES (TCPs)

- ❑ TCPs are recognized **in consultation with the traditional community** to whom they are significant;
- ❑ Eligibility of TCPs for NR listing is evaluated using the **National Register Criteria for Evaluation** and NR guidance.
- ❑ Nominations of NR-eligible TCPs are processed in accordance with the provisions of 36 CFR 60.



Medicine Wheel (small circle near the center of photo) within the context of the larger, Traditional Cultural Landscape (4080 acres) that includes Medicine Mountain, Big Horn Mountains, Wyoming

TOOLS AND RESOURCES

SOI STANDARDS FOR THE TREATMENT OF HISTORIC PROPERTIES

WHAT ARE THE SECRETARY OF THE INTERIOR'S STANDARDS AND GUIDELINES?

- ❑ The **Standards** are a series of concepts about maintaining, repairing, and replacing historic materials, as well as designing new additions or making alterations.
- ❑ The **Guidelines** offer general design and technical recommendations to assist in applying the Standards to a specific property.

Together, they provide a framework and guidance for decision-making about work or changes to a historic property.

WHAT ARE THE SECRETARY OF THE INTERIOR'S STANDARDS AND GUIDELINES?

TREATMENT TYPES

- ☐ Preservation
- ☐ Rehabilitation
- ☐ Restoration
- ☐ Reconstruction

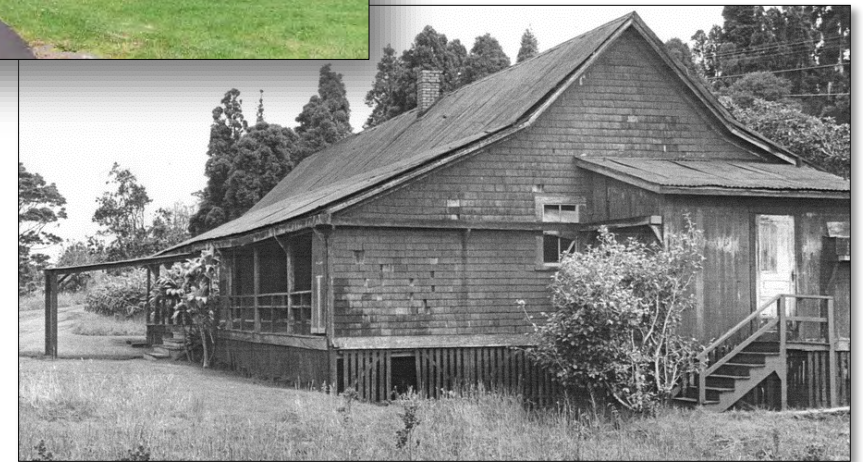
Specific Standards are associated with each Treatment

WHAT ARE THE SECRETARY OF THE INTERIOR'S STANDARDS AND GUIDELINES?

TREATMENT TYPES

☐ Preservation

Places a high premium on the **retention of historic fabric** through conservation, maintenance and repair



Volcano Art Center, Hawai'i Island

WHAT ARE THE SECRETARY OF THE INTERIOR'S STANDARDS AND GUIDELINES?

TREATMENT TYPES

❑ Rehabilitation

The act or process of **returning a property to a state of utility through repair or alteration** which makes possible an efficient contemporary use **while preserving** those portions or features of the property which are significant to its historical and cultural values.



Hale Na'auao, Windward Community College, O'ahu

WHAT ARE THE SECRETARY OF THE INTERIOR'S STANDARDS AND GUIDELINES?

TREATMENT TYPES

❑ Restoration

Focuses on the retention of **materials from the most significant time** in a property's history, while permitting removal of materials from other periods.



Shangri La Jali Pavilion, O'ahu

WHAT ARE THE SECRETARY OF THE INTERIOR'S STANDARDS AND GUIDELINES?

TREATMENT TYPES

❑ Reconstruction

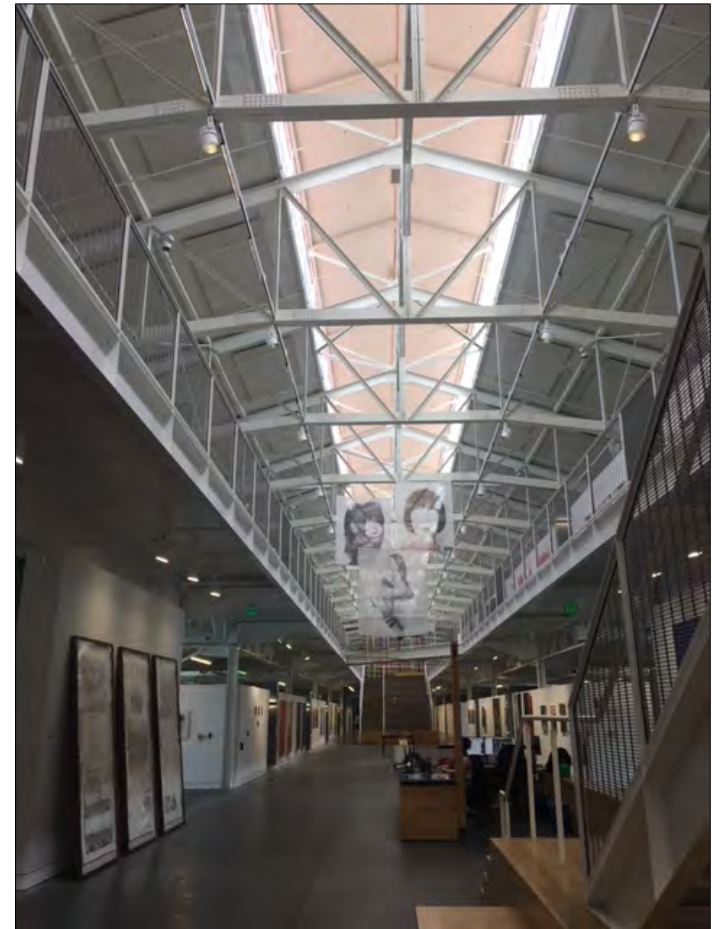
The **re-creation** of a non-surviving site, landscape, building, structure, or object in all new materials.



Kalahikiola Church, Kapa'au, Hawai'i Island

SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION

The Secretary of the Interior's Standards for Rehabilitation, codified as 36 CFR 67, are **regulatory for the Historic Preservation Tax Incentives program.**



San Francisco Art Institute, Fort Mason Center,
Historic Preservation Tax Incentive Project

SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION

1. A property should be used for its historic purpose or be placed in a new use that requires **minimal change to the defining characteristics** of the building and its site and environment.
2. The historic **character of a property shall be retained and preserved**. The **removal** of historic materials or alteration of features and spaces that characterize a property shall be **avoided**.

SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION

3. Each property shall be **recognized as a physical record of its time, place, and use**. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those **changes that have acquired historic significance in their own right** shall be **retained and preserved**.

SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION

5. **Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.**
6. **Deteriorated historic features shall be repaired rather than replaced.** Where the severity of deterioration requires replacement of a distinctive feature, the **new feature shall match the old** in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION

7. Chemical or physical treatments shall not be used. The surface cleaning of structures, using the **gentlest means possible**.
8. Significant **archaeological resources** affected by a project shall be protected and preserved. If disturbed, mitigation measures shall be undertaken.

SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION

9. New **additions shall not destroy historic materials** that characterize the property. The new work shall be differentiated from the old to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such matter that if removed in the future, the **essential form and integrity of the historic property and its environment would be unimpaired.**

SECRETARY OF THE INTERIOR'S STANDARDS AND GUIDELINES – ONLINE RESOURCES



Design for Missing Historic Features

The following work is highlighted to indicate that it represents the particularly complex technical or design aspects of rehabilitation projects and should only be considered after the preservation concerns listed above have been addressed.

recommended

Designing and constructing a new feature of the building or landscape when the historic feature is completely missing, such as row house steps, a porch, a streetlight, or a terrace. It may be a restoration based on documentary or physical evidence; or be a new design that is compatible with the historic character of the setting.

not recommended

Creating a false historical appearance because the replaced feature is based on insufficient documentary or physical evidence.

Introducing a new building or landscape feature that is out of scale or otherwise inappropriate to the setting's historic character, e.g., replacing picket fencing with chain link fencing.

<https://www.nps.gov/tps/standards/rehabilitation/rehab/index.htm>

SECRETARY OF THE INTERIOR'S STANDARDS AND GUIDELINES – ONLINE RESOURCES



THE SECRETARY
OF THE INTERIOR'S
STANDARDS FOR
REHABILITATION &

ILLUSTRATED
GUIDELINES ON
SUSTAINABILITY
FOR
REHABILITATING
HISTORIC
BUILDINGS

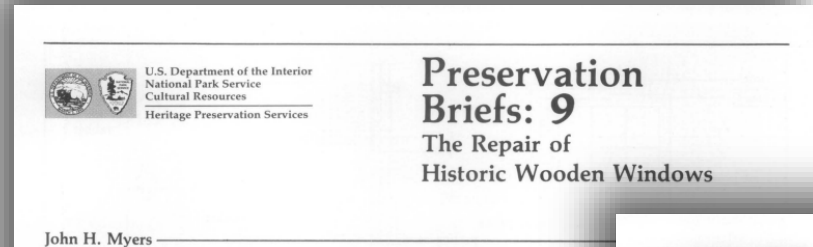


THE SECRETARY
OF THE INTERIOR'S
STANDARDS FOR
THE TREATMENT
OF HISTORIC
PROPERTIES
WITH
GUIDELINES FOR
PRESERVING,
REHABILITATING,
RESTORING &
RECONSTRUCTING
HISTORIC
BUILDINGS



<https://www.nps.gov/tps/standards.htm>

SECRETARY OF THE INTERIOR'S STANDARDS AND GUIDELINES – ADDITIONAL RESOURCES



John H. Myers

The windows on many historic buildings are an important aspect of the architectural character of those buildings. Their design, craftsmanship, or other qualities may make them worthy of preservation. This is self-evident for ornamental windows, but it can be equally true for warehouses or factories where the windows may be the most dominant visual element of an otherwise plain building (see figure 1). Evaluating the significance of these windows and planning for their repair or replacement can be a complex process involving both objective and subjective considerations. The *Secretary of the Interior's Standards for Rehabilitation*, and the accompanying guidelines, call for respecting the significance of

Much of the technical section provides an instructional guide for the determination will be useful, however, for the designer, architect, or developer on large-scale projects. The methodology for approaching the existing windows, and considering the professional can specify appropriate materials and methods for repair or replacement.

Architectural or Historical
Evaluating the architectural or historical significance of windows is the first step in planning for their repair or replacement, and a general understanding

32 PRESERVATION BRIEFS

Making Historic Properties Accessible

Thomas C. Jester and Sharon C. Park, AIA



U.S. Department of the Interior
National Park Service
Cultural Resources
Heritage Preservation Services

Historically, most buildings and landscapes were not designed to be readily accessible for people with disabilities. In recent years, however, emphasis has been placed on preserving historically significant properties, and on making these properties—and the activities within them—more accessible to people with disabilities. With the passage of the Americans with Disabilities Act in 1990, access to properties open to the public is now a civil right.

decorative ornamental hardware, corridors, pose barriers to persons particularly to wheelchair users (S). A three-step approach is recommended to implement accessibility modifications that preserve the integrity and historic character of

1) Review the historical significance

41 PRESERVATION BRIEFS

The Seismic Rehabilitation of Historic Buildings

Antonio Aguilar



Earthquakes result from sudden movements of the geological plates that form the earth's crust, generally along cracks or fractures known as "faults." When buildings are not designed and constructed to withstand these unpredictable and often violent ground motions, major structural damage, or outright collapse, can result, with grave risk to human life. Historic buildings are

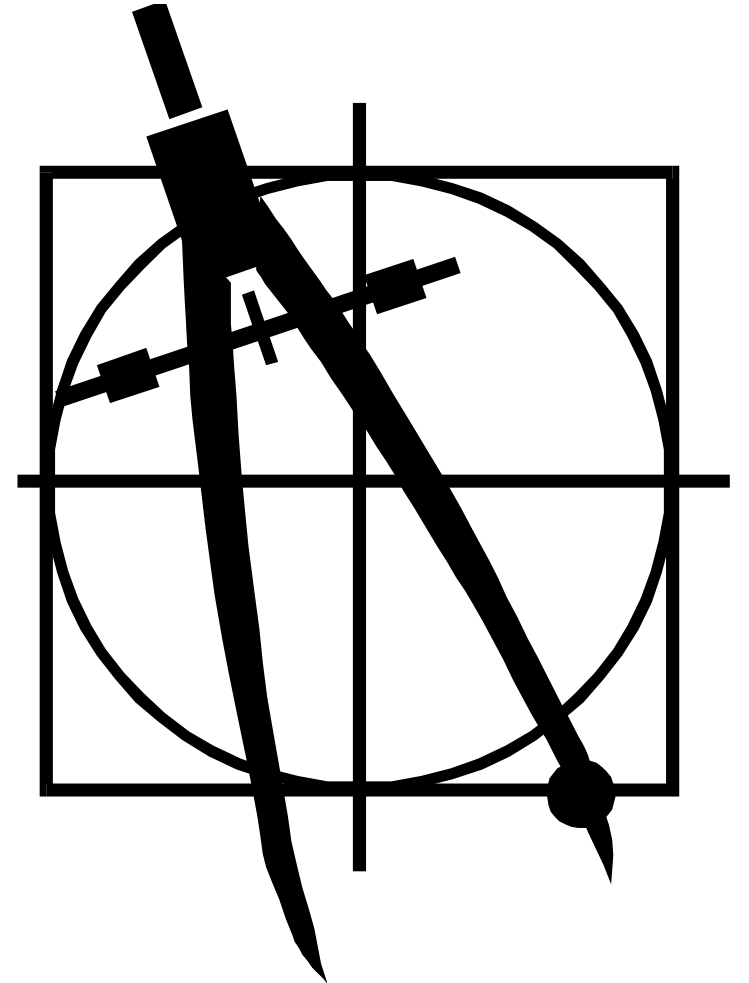
Undertaking the seismic rehabilitation of a historic building is a process that requires careful planning and execution, and the coordinated work of architects, engineers, code officials, contractors, and agency administrators. Project personnel working together can ensure that the architectural, structural, financial, programmatic, cultural, and social values of historic

<https://www.nps.gov/tps/education/online-pubs.htm>

STEWARDSHIP

YOUR PRESERVATION TOOLBOX

- ❑ There are tools available to preserve community resources
- ❑ Learning what these tools are and how you can use them is the key to a successful preservation effort
- ❑ These tools come from several different areas:
 1. Government regulations
 2. Community organizing
 3. Funding and incentive programs
 4. Individual actions



REGULATIONS FOR REVIEW AND COMPLIANCE

Section 106 of the NHPA

Congress enacted Section 106 of the NHPA to:

- ❑ Require Federal agencies to take into account the effects of their undertakings on any district, site, building, structure or object that is included or eligible for inclusion in the National Register, and
- ❑ afford the Advisory Council on Historic Preservation a reasonable opportunity to comment.



WW II Aircraft Revetments, Kalaeloa, O'ahu

REGULATIONS FOR REVIEW AND COMPLIANCE

NHPA Section 106 Process (36 CFR 800)

C
O
N
S
U
L
T
A
T
I
O
N

1. INITIATE the process

- Determine undertaking
- Notify SHPO
- Identify NHOs and Other Consulting Parties
- Plan to involve the public

Undertaking with potential to cause effects?

YES

NO



Process complete

2. IDENTIFY historic properties

- Determine APE
- Identify historic properties
- Consult with SHPO, NHOs, and Other Consulting Parties
- Involve the public

Historic properties present & affected?

YES

NO



Process complete

3. ASSESS adverse effects

- Apply criteria of adverse effect
- Consult with SHPO, NHOs, and Other Consulting Parties
- Involve the public

Historic properties adversely affected?

YES

NO



Process complete

4. RESOLVE adverse effects

- Avoid, minimize, or mitigate adverse effects
- Notify ACHP
- Consult with SHPO, NHOs, and Other Consulting Parties
- Involve the public

Agreement (MOA/PA) or Program Comment



Process complete; Implement agreement

REGULATIONS FOR REVIEW AND COMPLIANCE

Permit Review

State of Hawai'i & Historic Properties

HRS 6E Requires that the agency with jurisdiction (e.g. Counties, HCDA, State agencies) provide the State Historic Preservation Division the opportunity to review and comment on effects of projects on historic and cultural resources

Review Process for Architectural Resources

Review Applicability

- Structure 50+years old and/or Listed on the Register of Historic Places
- Work Requires a Permit

County Level

- Cultural/Preservation Commission Reviews the Project
- Is the Structure Eligible for the Register?
- Is the Change a Adverse Effect to the Historic Integrity of the Structure?

State Level

- Project Reviewed by the State Historic Preservation Division Architectural Historian
- Agrees or Disagrees with County Historic Commission Determination

County, State, and Owners discuss how to best avoid, minimize or mitigate the adverse effect to the historic resource

County commissions are public meetings and take public comment on agenda items

HAR 13-284 Rules for Historic Preservation Review provide opportunities for comment from “interested persons” which are defined as “those organizations and individuals that are concerned with the effect of a project on historic properties.”

COMMUNITY ORGANIZING

The best tool to preserve historic places
is a community that cares
about keeping the character of their community
and is willing to challenge actions that may harm or destroy it.

COMMUNITY ORGANIZING

Fundamental Principles:

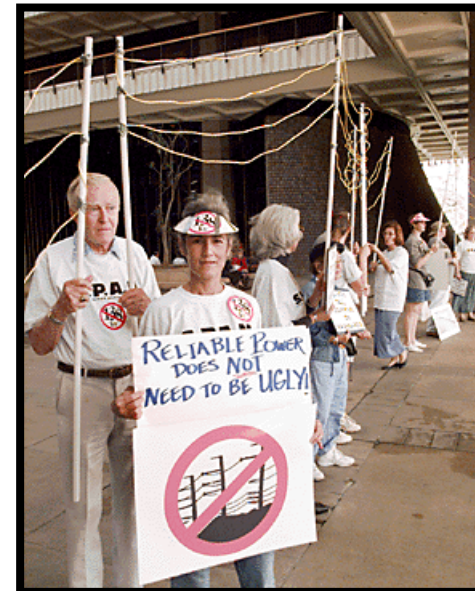
1. Don't underestimate your strength.
2. Know that everything is political.
3. Recognize the power of saying "no."
4. Be prepared.
5. Use publicity and amplification.
6. Be organized.



Save Līhu'e Post Office,
Kaua'i



Ka 'Ohana o Kalaupapa, Moloka'i



Protect Wa'ahila Ridge, O'ahu

NON-GOVERNMENTAL PRESERVATION ORGANIZATIONS

NATIONAL:

National Trust for Historic Preservation (NTHP)

Association for Preservation Technology (APT)

Historic Bridge Foundation

STATEWIDE:

Historic Hawai'i Foundation

Association of Hawaiian Civic Clubs

Docomomo US, Hawai'i Chapter

LOCAL ORGANIZATIONS:

Maunaloa Fishpond Heritage Center

Lāna'i Heritage and Cultural Center

Kapaia Foundation

Hale'iwa Main Street

Hanalei Roads Committee

Waimea Community Association

Kaupō Community Association

Pūlama la Kona

Mālama Mānoa

Friends of 'Iolani Palace

Friends of *Falls of Clyde*

Friends of the Natatorium

Friends of Mahaulepu



Kaupō Community Association, Maui

Friends of Hawai'i Volcanoes National Park

Friends of Kewalos

Friends of Lāna'i

Friends of the Queen Theatre

Friends of Midway

Friends of Maunaloa Bay

Friends of Old Maui High School

FUNDING AND TAX INCENTIVES

- ❑ Tax Incentives (private property)
- ❑ Grants in Aid (non-profit organizations)
- ❑ Public Investment (public property)
- ❑ Public-Private Partnerships

FEDERAL HISTORIC PRESERVATION TAX INCENTIVES

- ☐ Certified Historic Property
- ☐ Income-producing property
- ☐ Credit equivalent to 20% of the qualified costs of rehabilitation available
- ☐ Tax credit is regulated by the IRS
- ☐ Historic certification and scope regulated by NPS and implemented by SHPO



Baldwin Memorial Home/Lumeria Maui, Makawao

FEDERAL HISTORIC PRESERVATION TAX INCENTIVES

Mā'alaea General Store, Maui



Kunia Plantation Camp, O'ahu



COUNTY PROPERTY TAX EXEMPTIONS

- ❑ Offered in all Counties
- ❑ Residential property
- ❑ Designated on State Register
- ❑ Maintain weather-proof exterior (Kaua'i)
- ❑ Maintain in good condition, sign and visual access required (Honolulu)
- ❑ Pay minimum annual tax



'Ewa Plantation Villages, 'Ewa, O'ahu



Clarence Cooke Beach House, Kailua, O'ahu



Halaulani District, Hilo, Hawai'i Island

HISTORIC COMMERCIAL PROPERTY TAX EXEMPTION

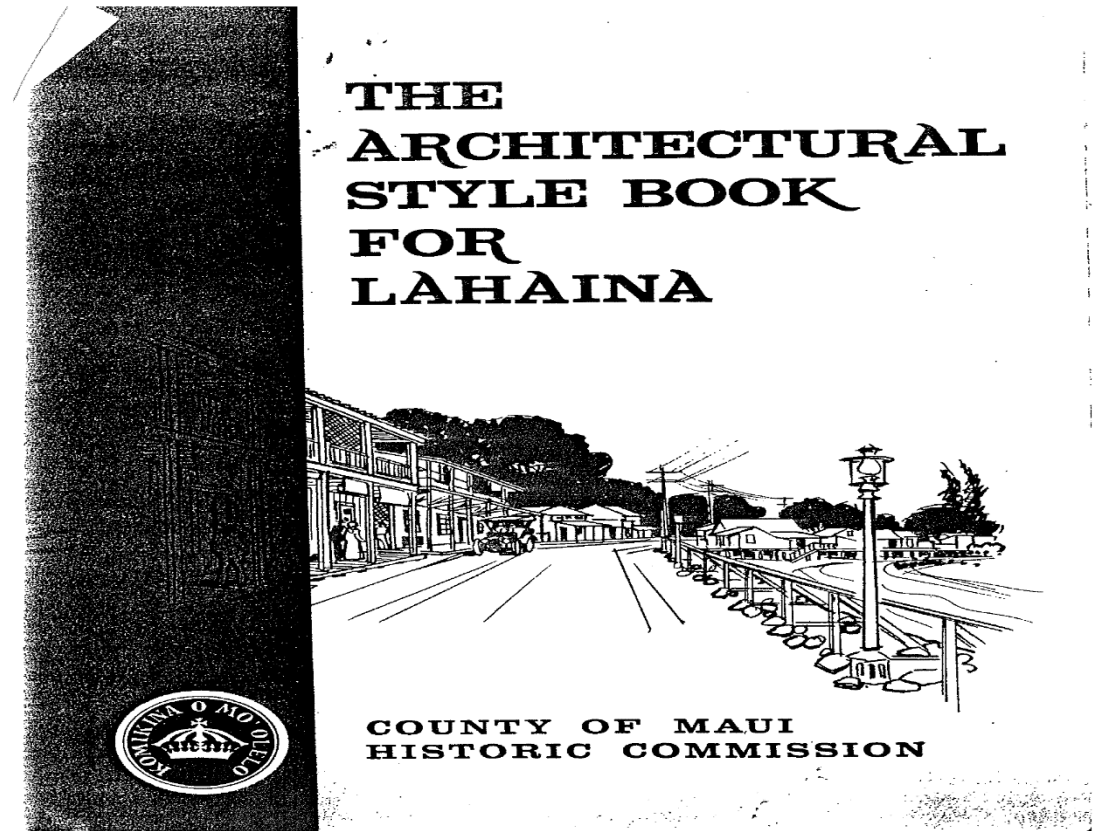
- ❑ City & County of Honolulu
- ❑ Property tax exemption of 50% of appraised value of historic buildings
- ❑ Designated on Hawai'i register, listed after 1977
- ❑ Commercial use, excluding industrial, resort and agriculture
- ❑ Owner submits a 10-year plan to maintain historically-significant features of the building



Harriet Bouslog Building, Merchant Street Historic District, Honolulu, O'ahu

CERTIFIED LOCAL GOVERNMENT GRANTS

- ❑ Federal grants (NPS) pass through State (SHPD) to Counties (must be CLG)
- ❑ Matching funds required
- ❑ Projects need to be consistent with grant guidelines
- ❑ Examples from Maui County and Kaua'i County
 - Context studies
 - Architectural Reports
 - Design Guidelines
 - Trainings and Education Programs
 - Inventory & Survey
 - Building Reuse and Redevelopment Studies



NONPROFIT ORGANIZATION GRANT PROGRAMS

- ❑ Historic Hawai'i Foundation Grants
- ❑ NTHP/Sam & Mary Cooke Preservation Fund for Hawai'i
- ❑ Hawai'i Community Foundation
- ❑ Other private Foundations
- ❑ Office of Hawaiian Affairs Culture Grants



Huialoha Church, Maui

HISTORIC HAWAI'I FOUNDATION PRESERVATION GRANTS

- ❑ Applicant is a community-based and locally-supported non-profit organization that provides services that fill a community need. Projects on a neighbor island or in a rural community are strongly encouraged;
- ❑ The project preserves and rehabilitates a significant historic property following appropriate preservation standards, and adequate long-term preservation commitments are in place;
- ❑ Recipient has in place additional financial and/or in-kind support from individuals, community members and other funders, with the grant funding request being part of an overall financial plan that is thorough and reasonable



Old Lahaina Courthouse, Maui

NATIONAL TRUST FOR HISTORIC PRESERVATION

SAM & MARY COOKE PRESERVATION FUND FOR HAWAI'I

Grants from this fund will help preserve and enhance historic places in Hawai'i for future generations

Grants range from \$2,500 to \$10,000 each, totaling about \$15,000 per year

Administration is managed by National Trust

Funding decisions will be made in cooperation with Historic Hawai'i Foundation

Eligible applicants are Public Agencies and Nonprofit Organizations (501 c 3 status)

Organizational Forum Membership to National Trust required

Membership in Historic Hawai'i Foundation encouraged

1:1 cash matching funds required

Preservation work must comply with Secretary of Interior Standards for the Treatment of Historic Properties



O'ahu Sugar Company Smokestack, Waipahu, O'ahu

INDIVIDUAL PRESERVATION ACTIONS

- ❑ Individuals can choose to preserve and maintain their historic properties by following appropriate standards
- ❑ Property owners can nominate properties to the Hawai'i and National historic registers.
- ❑ Individuals can place permanent restrictions to preserve the property
- ❑ Individuals can organize with others for a stronger voice



PRESERVATION EASEMENTS

- ❑ Perpetual deed restriction that establishes preservation restrictions on a historic property
- ❑ An easement is donated to a nonprofit organization for preservation management (e.g. Historic Hawai'i Foundation or Hawaiian Islands Land Trust)
- ❑ Owner retains possession and use of the historic property, subject to the easement terms
- ❑ Owner may qualify for tax deduction equivalent to the easement's market value



Jean & Zohmah Charlot House, O'ahu

BEST PRACTICES

BEST PRACTICES – LAYING THE GROUNDWORK

Identifying the historic property and cultural resources

- ❑ History or significance of the resource(s) / property(ies)
- ❑ Character defining features and their condition or quality
- ❑ Uses or practices are associated with the resource
- ❑ Potential for new (inadvertent) discoveries or information at the site



BEST PRACTICES – LAYING THE GROUNDWORK

Understanding the preservation threat(s)

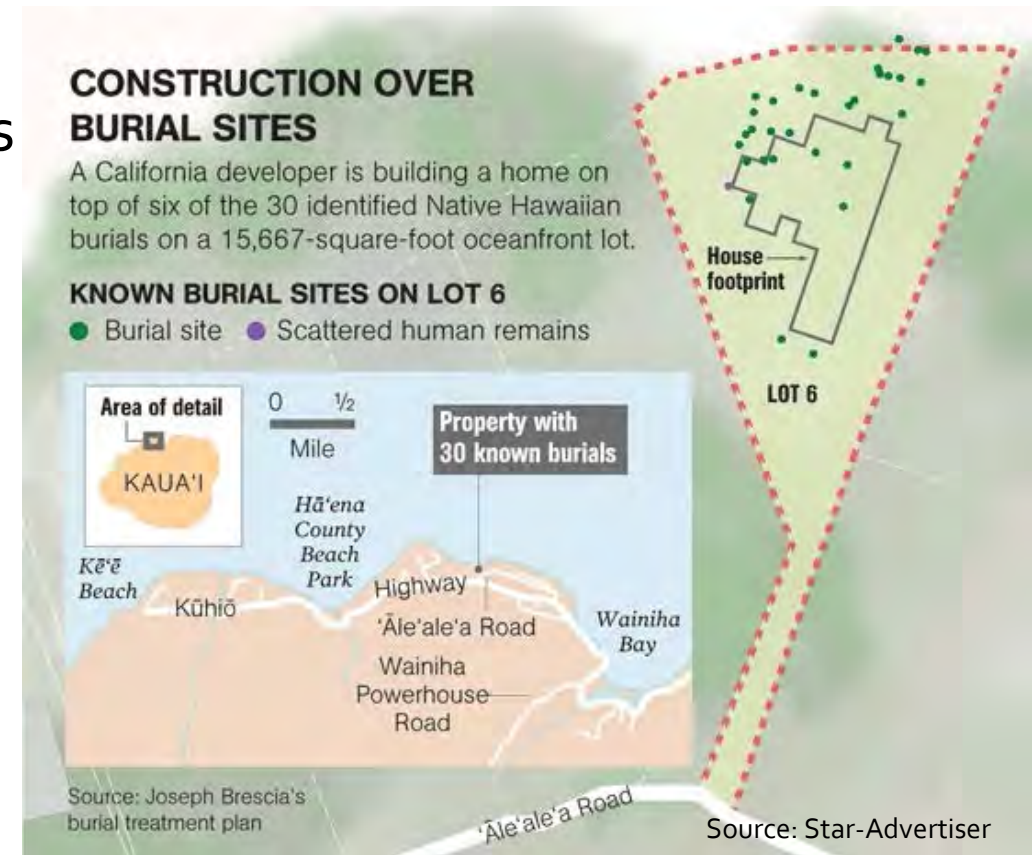
- ❑ Land use change being planned, proposed or implemented
- ❑ Effect of land use change on the historic property or cultural resource
- ❑ Physical details: area, height, subsurface, connecting infrastructure
- ❑ Use impacts: population density, traffic, noise, visual, infrastructure capacity



BEST PRACTICES – LAYING THE GROUNDWORK

Determining the preservation setting and timing

- ❑ Regulatory setting or decision-making processes
 - Understanding advocate rights and agency responsibilities
- ❑ Timing or stage of implementation of the threat
- ❑ Key parties, agencies, and organizations
 - Preservation advocates actively engaged
 - Agencies, companies, organizations, individuals supporting land use change
 - Understanding relationships and dynamics between key parties



BEST PRACTICES – LAYING THE GROUNDWORK

Defining preservation goals and desired outcomes

- ❑ Identify primary (secondary, tertiary...) goals and outcomes
- ❑ Benefit – preserve, restore, reuse historic property
- ❑ Avoid – do not demolish or inappropriately alter historic property
- ❑ Minimize – limit the amount of adverse effects
- ❑ Mitigate – address and offset significant adverse effects



BEST PRACTICES – LAYING THE GROUNDWORK

Additional considerations for mitigation

- ❑ Nexus between cause of effect and mitigation measure
- ❑ Proportional response – larger the impact, larger the mitigation
- ❑ Benefit to affected parties – relevant and appropriate
- ❑ Benefit to broader public – improved understanding; improved preservation systems; new preservation opportunities



Queen Ka'ahumanu Highway, Hawai'i Island

BEST PRACTICES – CRAFTING THE PRESERVATION STRATEGY & TACTICS

- ❑ Get organized and involved –
Form advocacy group or join existing effort
- ❑ Frame the issue –
Prepare for public outreach and media involvement
- ❑ Per process and regulatory setting –
Testimony, lobbying, consultation, lawsuit
- ❑ Use timing and stage of implementation –
Act quickly or delay decision making
- ❑ Use preservation goals and outcomes –
Stop project, alter design, relocate, adaptive reuse



BEST PRACTICES – IMPLEMENTING THE PRESERVATION STRATEGY

- ❑ Take the initiative / play offense
- ❑ Prepare for the long haul and changing landscape
 - New key parties and different agendas
 - Shifting agency or organizational priorities
 - Evolve tactics and strategy accordingly
- ❑ Good faith participation and follow-through
 - Be consistent in objectives, goals, and outcomes
 - Take moral high ground
 - Be reasonable and responsive
 - Avoid personalities



Līhu'e Post Office, Kaua'i



Waikīkī War Memorial Natatorium, O'ahu

BEST PRACTICES – CODE OF CONDUCT

1. Deal fairly with all participants in the preservation consultation or other public or planning processes. Treat all people with dignity and respect.
2. Act with integrity and truthfulness.
3. Contribute to the development of solutions of community problems.
4. Describe and comment on the work and views of others in a fair and civil manner.
5. Provide timely, adequate, clear and accurate information to all affected persons and to governmental decision-makers.

ACTIVITY

Scenarios to practice concepts

PRESERVATION SCENARIO

You are a member of a local historic preservation association – “Sustaining, Advancing and Venerating our Exceptional Hawai‘i”
(**SAVE Hawai‘i**).

SAVE Hawai‘i is a community-based organization on a “representative” Hawaiian island whose mission is to sustain Hawaii’s culture and history through the protection and preservation of its unique districts, buildings, structures, landscapes, and objects for future generations.

SAVE Hawai‘i implements its mission through advocacy and engagement on land use changes that threaten historic properties and cultural resources.

PRESERVATION SCENARIO EXERCISE

SAVE Hawai'i has become aware of two land use proposals that threaten historic properties and cultural resources.

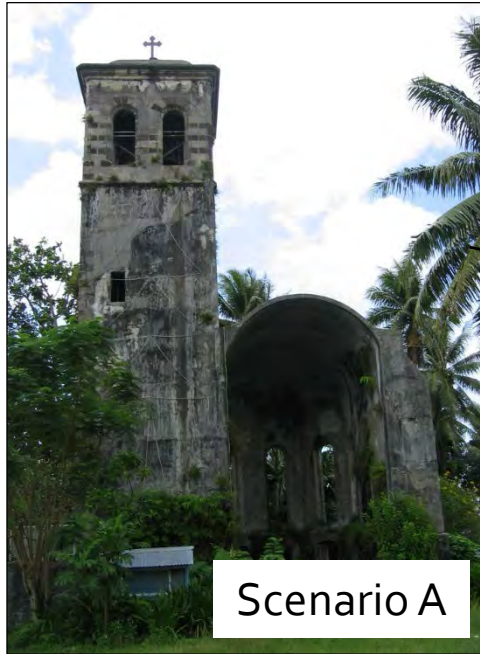
❑ **Scenario A: Private Condominium Development**

- Setting: Historic church and site (eligible for State & National Register) sold to private developer. Land is zoned for low-rise commercial uses. Developer is requesting a rezoning for high-rise residential condominiums, hotel and parking.

❑ **Scenario B: State Highway Expansion**

- Setting: State received Federal funds to widen a state highway from two lanes to four lanes with central median, shoulders, bike lane and turning lanes.

"REPRESENTATIVE" HAWAIIAN ISLAND



SCENARIO A – PRIVATE CONDOMINIUM DEVELOPMENT

- ❑ **Setting:** Historic church and site (eligible for State & National Registers) sold to private developer. Land is zoned for low-rise commercial uses. Developer is requesting a rezoning for high-rise residential condominiums, hotel and parking.
- ❑ **Implementation Stage:** Developer announces 25-story condominium project with 6-story parking garage and is seeking zoning approval from County. The planning commission and county council will each hold hearings.
- ❑ **Preservation Threat:** Demolition of historic building and disturbance of subsurface Native Hawaiian archaeological material.
- ❑ **Resources at Risk:** Building and site; subsurface cultural materials; feeling and association. No cemetery on site.
- ❑ **Task – Develop a Preservation Strategy:**
 - What are the preservation goals and outcomes?
 - What are the applicable federal and state laws?
 - What non-regulatory or community participation tools would help?
 - What is the preservation strategy to achieve the goals and outcomes?
 - What actions will SAVE Hawai'i take to implement the strategy?



SCENARIO B – HIGHWAY EXPANSION

- ❑ **Setting:** State received Federal funds to widen a state highway from two lanes to four lanes with central median, shoulders, bike lane and turning lanes.
- ❑ **Implementation Stage:** State-contracted planning and engineering company completed draft environmental impact statement (DEIS) and the State just released it for 60-day public review and comment period.
- ❑ **Preservation Threat:** Demolition of bridge built in 1933. Project will divert stream that feeds a Native Hawaiian fishpond and channel water into an underground culvert. Possible human burials and effects on cultural landscape
- ❑ **Resources at Risk:** Archaeological sites: use and operation of the fishpond, cultural landscape features: native plants / forest, topographic features (hills, depressions), and view planes; historic bridge.
- ❑ **Task – Develop a Preservation Strategy:**
 - What are the preservation goals and outcomes?
 - What are the applicable federal and state laws?
 - What non-regulatory or community participation tools would help?
 - What is the preservation strategy to achieve the goals and outcomes?
 - What actions will SAVE Hawai'i take to implement the strategy?



MORE INFORMATION

Where to Find More Information: Preservation Resources

- ❑ Historic Hawai'i Foundation: www.historichawaii.org
 - Preservation Resource Center
- ❑ National Trust for Historic Preservation: www.preservationnation.org
 - Grants, funding sources
 - Community organizing
- ❑ National Park Service: www.nps.gov/history
 - Tax credit brochure
 - Technical services briefs
- ❑ State Historic Preservation Division: <http://dlnr.hawaii.gov/shpd>

ADDITIONAL RESOURCES AT WWW.HISTORICHAWAII.ORG

Presentation slides

□ Federal Laws and Regulations

- Archaeological Resources Protection Act (ARPA)
- National Historic Preservation Act (NHPA)
- NHPA Section 106 Regulations (36 CFR Part 800)
- Native American Graves Protection and Repatriation Act (NAGRPA)
- NAGPRA Regulations (43 CFR Part 10)
- NEPA-NHPA Section 106 Handbook
- Legal Comparison of NAGPRA-ARPA-Section 106

ADDITIONAL RESOURCES AT WWW.HISTORICHAWAII.ORG

❑ **Hawai'i Laws and Regulations**

- Historic Preservation Statute (HRS 6E)
- HP Exemption of Dwelling Units (HRS 6E 42.2)
- Rules for Review of Government Projects (HAR 13-275)
- Rules for Review of Privately Owned Historic Properties (HAR 13-284)
- SHPD Guidance for HRS 6E Review
- Environmental Policy Statute, Excerpt for Historic Properties (HRS 343)
- Sunshine Law Notice Quick Review Guidance (HRS 92-7)
- Cultural Resources Commission/Historic Preservation Review Commission Ordinances (Hawai'i, Maui, Kaua'i)

❑ **Native Hawaiian Organization Consultation Protocols**

- ACHP Policy on Interaction with Native Hawaiian Organizations
- ACHP Handbook on Consultation with NHOs in the Section 106 Process
- ACHP Guidance for NHOs: What to Ask Federal Agencies in the Section 106 Process
- Department of Defense Consultation Policy with NHOs (DoDI 4710.03)
- National Park Service Management Policies

ADDITIONAL RESOURCES AT WWW.HISTORICHAWAII.ORG

❑ **Community Organizing Resources**

- ACHP Citizens' Guide to the Section 106 Process
- CEQ Citizens' Guide to NEPA
- Saving the Neighborhood Crisis Intervention Booklet
- HHF Glossary of Historic Preservation Terms
- HHF Mitigation for Adverse Effects to Historic Properties

❑ **Sample Letters and Testimony**

- Letter from an Organization to Agency for Section 106 Consultation Comments
- Letter from an Organization to a Planning Official on Planning Issue
- Letter from an Organization to a Federal Agency on a Planning Issue
- Testimony from an Organization to a Legislative Body on a Planning Issue
- Testimony from an Organization to a Legislative Body on a Legislative Issue
- Testimony from an Individual to a Legislative Body on a Legislative Issue

MAHALO!
